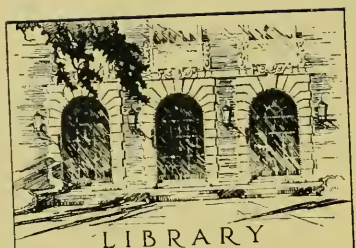

REMARKS

UPON

THE JURISDICTION

OF THE

INNS OF COURT.

BY

FREDERICK CALVERT, ESQ., Q.C.

"Audi alteram partem."

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INTRODUCTION.

All institutions are on their trial. To the Clergy new plans are propounded for Convocation; the statutes of every college at Oxford and Cambridge have been revised; purchase is abolished in the army; the navy and the dock yards are subjected to severe scrutiny; and our system of Judicature is cast in a crucible, in which it is to assume as much of novelty as can be safely adopted. The Benchers of the Inns of Court, seeing all these changes around them, must not be surprised, if their quiet Courts are invaded, and if they encounter some strong attempts at innovation. Twice within the last thirty years they have met public inquiries, and have afforded the fullest information upon their affairs. They know that they hold their rights and privileges for the benefit of the country at large; and, so long as they exercise them in that spirit, and feel confident that they do good service to their profession, it is their duty to speak in their own vindication, and to struggle for the maintenance of their established authority. They will only ask that the accounts given of their conduct may be accurate and true.

Past Events.—The following events with reference to this subject have already taken place. On the 8th of April, 1846, a select Committee was

appointed by the House of Commons "to inquire into the present state of legal education in Ireland;" and on the 5th of May following that Committee was instructed to "extend their inquiry and consideration to the state improvement and extension of legal education in England." On the 5th of May, 1854, "a Commission issued to inquire into the arrangements of the Inns of Court for promoting the study of the law and jurisprudence, the revenues properly applicable, and *the means likely to secure a systematic and sound education for students of law and provide satisfactory tests of fitness for admission to the Bar.*" Each of these inquiries is as general as possible. The authority of the Inns of Court in respect of legal education was clearly within the scope of each of them.

Before the commencement of the session of 1872, a legal association was formed professing to have the following objects in view—"first, the establishment of a law university for the profession of the law; secondly, the placing of the admission of both branches of the profession on the basis of a combined test of Collegiate education and examination by a public board of examiners.'

On the 1st day of March, 1872, the present Lord

* For the sake of convenience the Committee Report of 1846 is quoted under letter *A;* the Report of the Commission of 1855 under letter *B.*

Chancellor, then Sir Roundell Palmer, brought forward his resolutions for the establishment of a general school of law. They were rejected by a majority of 13 in a House of 213 members.

The Interview with the Association.—The next public event connected with this subject was the interview of a deputation from the association with the Lord Chancellor. It took place on the 12th of December last. Mr. Amphlett, now Mr. Baron Amphlett, who introduced the deputation, commenced his remarks by a reference to the debate of 1872; and the Lord Chancellor strongly asserted his adherence to the opinions, which he had expressed in that debate, and also his intention to endeavour to give effect to them on the first favourable opportunity. I must therefore take up the subject as from that debate.

The Debate of 1872.—The course which the debate took directs our attention peculiarly to the speech of Sir Roundell Palmer.* During his speech there was a fair attendance of Members. At the close of it many Members left the House. Not more than forty or fifty were present during the greater part of the debate. At one time the House was counted; and the debate narrowly escaped a pre-

* In commenting upon the Lord Chancellor's speech in that debate, I take the liberty of using the name, which he bore at that time. The quotations from his speech are taken from the report in the *Times*.

mature termination. The speakers were, with few exceptions, lawyers; but many lay members had received notice from attornies, their constituents, that their votes in favour of the resolutions were earnestly desired. A little while before the division took place, about 150 Members came into the House. Many of them had heard Sir Roundell Palmer's speech, so that the division depended in a great measure upon the statements which he made. It is probable that a large proportion of Members present had but little previous acquaintance with the merits of the question; and the general idea of unprofessional Members seemed to be, that the whole question should be settled by the professional Members. This is much to be regretted. The question at issue is one, in which all classes are interested.

Public interested in the character of the Benchers and of the Bar.—It is of great importance to the public, that a very high tone of feeling should be maintained at the Bar. Great moral as well as intellectual qualities are required for the high places of the profession. A Barrister should be thoroughly imbued with the scientific principles of the law, and capable of applying them in practice. He should be able to analyse facts, compare statements, balance argument against argument, detect fallacies, and to bring the rights of a case conspicuously into view. He should be fearless in maintaining his opinion, honest and trustworthy, and indepen-

dent in his bearing towards all classes, the Bench, the attorney, and his client. Above all things he should prefer character above professional emolument. Of such a stamp ought those men to be, by whose opinions the law is from day to day administered ; and on whose authority, when they are raised to the Bench, the lives and properties of Her Majesty's subjects must frequently depend. Moreover, the system of instruction required for the Bar should be one, which will not only prepare men for practice as Barristers, but also for active life in many other capacities ; for instance, as magistrates, Members of Parliament, and for judicial offices in British dominions abroad, or in diplomatic posts of high responsibility. The Benchers have been a class of men well fitted for the superintendence of such an education as is required for these objects. They are most of them men of highly cultivated minds, possessed of an extensive knowledge of the world, acquainted with the wants and interests of lawyers, and extremely considerate in the exercise of their jurisdiction.

Men of high moral character and great intellectual attainments have risen in succession under the Inns of Court. And the public are deeply interested in the character of the Benchers, as well as of the Bar. In the debate in 1872,* the present Chief Justice of the Common Pleas, speaking of

* Hansard, vol. 209, p. 129.

the Benchers, remarked, "it would be a mistake and a failure to raise up by their side a shadowy institution, that would in vain attempt to rival their wealth, reputation, and influence."

Present Proposals.—It is now proposed that a totally new system shall be introduced; that in spite of the very distinct recommendations of the Committee of 1846, and afterwards of the Commission of 1855, the education of the Bar shall be subject to the superintendence of a mixed body, partly Barristers, partly attornies; and that students for the two branches of the profession shall be educated together.

Subject as regards England.—I may remark, that I confine my observations to the subject, as relating to England. In Ireland, although the law is generally the same as in England, there are peculiarities connected with the government of the profession, which prevent the question from assuming the same aspect in both countries.

The Question at issue.—Under these circumstances, I propose to bring forward some considerations, which have not in recent years been fully explained. One portion of the matters, formerly in dispute, is so no longer. For many years past there has been no controversy as to the expediency of scientific education for the Bar. But there have been very different opinions upon the expediency of a compulsory examination.

That point is now settled. Hereafter no one will be called to the Bar, who does not pass such examination as is required. The one point really remaining in dispute is, whether the superintendence over admissions to the Bar should or should not be separate from the superintendence over admission to practice as attorney or solicitor.

I have before me the prospectus of the association: but I think it hardly worth while to make any remarks upon it; as such will be necessarily included in my observations upon the debate to which I have referred.

Debate, 1st March, 1872.—The debate of 1st of March, 1872, was the last occasion, on which legal education was discussed in Parliament; it therefore requires our especial notice. Attention is principally due to the speech of the present Lord Chancellor, then Sir Roundell Palmer, who moved the resolutions. His speech requires notice, not merely on account of its influence upon the division which we have already mentioned, but also on account of his peculiar position. His remarkable pre-eminence at the Bar, and his high personal character, invested his remarks with peculiar authority, not merely among Members of the House of Commons, but also throughout the country at large. On examining the speech I am certainly surprised at what he stated, and still more at what he omitted to state. The difficulties, which he described as encountered by a student of

law, are those which were encountered at the time when he was called to the Bar. He apparently overlooked the changes which have since taken place. "The whole debate turned," as Mr. Leeman observed,* "upon the alleged abuses of the Inns of Court." An accurate statement of the events which have occurred will shew to what extent the charges of abuse are justified.

Past conduct of Inns of Court.—Sir Roundell Palmer said, "the Benchers have not shewn themselves *in past times* capable of doing the public work," in respect of legal education. And again, "I stand on great principles, and I say that the Benchers have not *in past times* done that amount of good which they ought to have done." "*Past times*" is a phrase of very indefinite meaning. It is an important element in each of these passages. Sir Roundell also said,† "What *is* our system in this country? I shall presently remind the House of some of the judgments passed upon the system by very high authorities, but I will say that it *is* in truth *a hand to mouth system.* Everybody is left to *pick up* his own instruction in law as well as he can, entirely with a view to practice, and by doing it in that manner with the assistance of those who are themselves engaged in

* Hansard, vol. 209, p. 1288. All the references to Hansard are to this volume.

† See these passages in the *Times* report of Sir Roundell Palmer's speech.

practice, it is impossible that any foundation of a scientific knowledge of the law can be laid, however desirable it may be, and as a matter of fact it is not." And then he quoted from the report of the Committee of 1846 the following passage:— "That it may be asserted as a general fact, to which there are very few exceptions, that the student, professional and non-professional, *is left absolutely to his own individual exertions, industry, and opportunities, and that no legal education worthy of the name is at the moment* (1846) *to be had in either England or Ireland.*" This quotation of the state of the education of the Bar in 1846 is thus made in a debate in the year 1872. The House must have assumed it to be a correct representation of the state of facts in the latter year. If it could not be relied on for this purpose, why was it made? Sir Roundell afterwards quoted a passage from the report of the Commission of 1855 which refers exclusively* to education in a Barrister's chambers; but he omitted the following passage contained in the same report of 1855:† "In the year 1851 the present Solicitor-General caused a general meeting to be convened of the Benchers of the four Inns of Court, with a view to provide for the better instruction of the students, and the result was the establishment of a Council

* I cannot find this passage in that report; but the same idea is frequently expressed by witnesses of high authority.

† See Report of 1855, p. 13.

of legal education, consisting of eight members, two being selected by Benchers respectively of the four Inns of Court, and holding their offices for two years, and the passing of definite regulations for providing readers who should give lectures and hold private classes for the better instruction of the students. The Readers under the direction of the Council at stated intervals conduct a voluntary examination of the students: the attendance at the lectures being compulsory, unless in case of those who submit themselves to such voluntary examination. Public examinations are held three times a year, and studentships of fifty guineas a year have been founded by the Inns of Court, to be held for three years by the student on each occasion passing the best examination; and certain other advantages are offered to those, who distinguish themselves in such examination." Sir Roundell also omitted to mention another important matter. A Committee was appointed in 1852 by the several societies of Lincoln's Inn, the Middle Temple, the Inner Temple, and Gray's Inn, on the subject of legal education. That Committee presented a report to the four Inns, which was adopted, and directed to be carried into effect, and which contains the following, amongst other regulations. *" That the duties of the readers (subject to regulation of the standing Council) shall consist of the delivering of

* See Report of 1855, p. 149.

three courses of lectures in each year, of the formation of classes of students for the purpose of giving instruction in a more detailed personal form than can be supplied by general lectures, *and of affording to students generally advice and directions for the conduct of their professional studies.*" This Report was signed by 31 distinguished Benchers—amongst others is the signature of "Roundell Palmer."

That the matter may be made still clearer, there is in the Report of 1855* the abstract of the accounts of the Council of legal education for the period between the 8th May, 1852, and the 1st September, 1853, containing certain specified payments from each of the four Inns, and amounting in the whole to £3948. 14*s.*

Now it must be recollected that the debate turned, as Mr. Leeman said, upon the abuses of the Inns of Court. The question was argued by Sir Roundell Palmer himself, as depending in a great measure upon the conduct of the several Benchers, *in past times.* And yet their course of conduct as to legal education, commencing in 1852, and ever since prevailing, was not explained by him. How could he expect the House to underderstand the true bearings of the question, when he omitted the history of their conduct during the last 20 years?

Motion at variance with principles of the Com-

* p. 157.

mittee of 1846.—Sir Roundell's speech must be examined upon another very important point. "It may be said," he observes, "that this measure being *more comprehensive* than that recommended by the Committee of 1846 and the Commission of 1854, is *at variance* with the principles of the recommendation of those bodies: but *that is not the case*, and the very men who signed those recommendations, or at any rate *the great majority of them, approve* what we are doing and prefer the larger system."

The recommendation of the Committee of 1846 was, that* "the Institution (*i.e.* a law university), is to be sought rather in the application, if possible, of old establishments than the erection of new ones, from the guarantee which the former give of order, efficiency and permanency; and that such institutions are, to a great degree, to be met with in the Inns of Court in both countries (England and Ireland). In direct connexion with the Bar under the superintendence of its highest authorities, the Judges, or of its most distinguished members the Benchers, with old prescription, ancient privileges, very large accommodation, ample funds, and venerable associations, immediately interested in the progress and honourably jealous of the fame of the profession, no bodies could be more appropriately selected, if willing, or likely to be more willing,

* p. lix.

when once they have entered upon the task, than the Inns of Court. No violent or inappropriate innovation is attempted to be pressed upon them. They resort only to their own ancient statutes and practices, and resume anew the original objects of their institution. That to give effect to this application of the Inns of Court to the purposes of a special or professional law college, it appears much more advisable that the several Inns in this country should co-operate; and, instead of each providing for its own use or that of its students, a system of lectures, on all the great departments of Civil and English law, it should rather furnish each its quota to the general course in that department, which is most congenial to its constitution; and to admit indiscriminately on payment of the same fees all students of the Inns of Court, no matter of what Inn, without distinction. The four Inns would thus form for all purposes of the institution a sort of aggregate of Colleges; or in other words a species of Law University."

The Commission of 1854.—The Commissioners of 1854 say,* "We deem it advisable that there shall be established a preliminary examination for admission to the Inns of Court of persons, who have not taken a University degree, and that there shall be examinations, the passing of which shall be requisite for the call to the Bar: and *that the four Inns of Court shall be united in*

* p. 17.

one University for the purpose of these examinations, and of conferring degrees."* Thus the proposal of each of these bodies was, that the Benchers should superintend the education of the Bar without any interference on the part of the attornies.† Sir Roundell Palmer proposes to educate the two branches of the profession together under a joint body of the two classes. Are not these proposals *at variance* with each other? When the object was to explain to the House of Commons the true bearing of the question, ought not these opinions expressed by these two bodies to have been specifically stated to the House? Again there were fifteen members of the Committee of 1846. The report appears to have been agreed to unanimously in the presence of five, acting on behalf of the entire fifteen. Which of those fifteen have repudiated their opinion? Ten distinguished men signed the report of 1855. The name of one, namely, Lord Hatherley, stands in the prospectus of the Association as assenting to their proposal. But I ask, which of the other nine have repudiated their opinion? What communications upon the subject the Lord Chancellor may have received in private, I cannot tell: but I am not aware of any proof, hitherto made public, that the great majority of members of the Committee of 1846, and also of the Commission of 1855 approve of what the Association are doing.

* p. 11. † p. lxii.

Scope of the Inquiries.—Sir Roundell appears to have been misled as to the scope of the two inquiries of 1846 and 1854: for he says, "Neither of those bodies extended its views practically beyond the consideration of the Inns of Court and the preparation for the Bar."

The Committee of 1846 inquired generally into "the means of further extending and improving legal education."* The question whether the Inns of Court were the best body to superintend it was fully investigated. The Commission† of 1855 also entered into the question; they repeatedly mention the Inns of Court as the best authority. Indeed, as we have seen, the Commission was ordered to inquire not merely into the arrangements of the Inns of Court, but also, as we have already seen, "into the *means most likely to secure a systematic and sound education of students of law and provide satisfactory tests of fitness for admission to the Bar.*" As the present Master of the Rolls said, in the debate, "the recommendations of the Commission were, so far as the Inns of Court were concerned, substantially the same as those previously made by the Committee."

The Commissioners‡ of 1855 themselves say; "The expediency will be conceded of having one system common to all Inns of Court for testing the general knowledge of persons to be admitted as students, and the legal knowledge to be required

* Hans., vol. 209, p. 1285. † For instance, B. 1206.
‡ B. pp. 16 and 17.

as a condition for a call to the Bar. We think, moreover, that considerable advantage would result to the Bar, as a liberal profession, from a better recognized and more definite and permanent combination of the Inns of Court in reference to legal education and examinations than exists at present in respect to the Council of legal education; and that the Inns might be united in a University, still preserving the independence respectively as distinct societies with respect to their property and internal arrangements." So distinct was the opinion of the Commissioners of 1855, as well as that of the Committee of 1846, in favour of the principle of the arrangements which have been adopted.

Mr. Lowe's Opinion.—Sir Roundell relied upon Mr. Lowe's authority; no doubt a very great authority upon questions of this description. He quoted Mr. Lowe's statement that according to his "impression the Inns of Court as then constituted were as an University in a state of decay;" and further, that "what is needed is some central authority to confer the degree of Barrister, something answering to the Senate of the University of London, or to the governing body in Oxford or Cambridge."* There Sir Roundell stopped in his quotation. Had he continued it to the very next line, he would have quoted language

* The present Solicitor-General also appealed to Mr. Lowe in the debate of 1872. Hans. vol. 209, p. 1288.

which showed Mr. Lowe's opinion to be quite at variance with his own—to be, in fact, that the Inns of Court were the proper sources of authority, without any admixture of solicitors: for Mr. Lowe continues his evidence from the paper quoted by Sir Roundell, in the following words:—"I would not allow the Colleges, analogous to which I consider the Inns of Court to be, to have the power of conferring a degree. The power ought to be given to some central body *composed out of them*, but not identified with any one of them."* The question was put to him, "Would you have a body, which should be elected by them?" Mr. Lowe answers, "I think that the *Inns of Court might appoint such a body*."†

Lectures.—The great remedy by way of education was stated by Sir Roundell Palmer to be education by lectures, and he quoted the Scotch system, the Commentaries of Chancellor Kent, and the treatises of Story and Savigny, and Blackstone's lectures, and Austin's. He omitted to state, that the Inns of Court had maintained for twenty years this very system of education by lectures.

Foreign Law Institution.—It is hardly worth while to follow Sir Roundell Palmer in his remarks upon foreign systems of law education. In no country‡ are there bodies similar to the Inns of Court. In all countries§ the systems

* B. 1617.
† B. 1618.
‡ B. p. 10.
§ A. 25.

of law are essentially different from that of England. For instance, throughout Germany every appointment in the law, from that of Notary public to the judicial bench, is in the hands of the Government, and under the patronage of the minister of justice: and the training necessary to qualify the candidates for such offices is strictly the subject of Government regulations. We will not for one moment suppose, that Sir Roundell Palmer or the Association would wish such a principle of dependence upon Government to be introduced into England.*

Scotch System.—Sir Roundell spoke highly of the Scotch system. It was adopted in 1863 after a consideration of the system of different countries, particularly of the English improvements of 1852. I have before me the general report of the Commissioners under the University (Scotland) Act, 1858. It bears date 1863. It states "that the legal education of the country is for the most part carried on in the Universities."† I have also several works relating to the Scotch system, and among them "the Universities of Scotland past and present, and possible," and "the regulations as to Intrants." There is now no proposal to make our law education dependent on Universities. Education in the neighbourhood of the Courts of Justice is evidently

* One of the first acts in the French Revolution was to abolish the privileges of the Bar. Napoleon restored them. See Hortensius, by W. Forsyth, Esq. Q.C. pp. 311, 316.

† p. xxxv.

preferred. The degree of L.L.B. is rarely taken. The real comparison in respect of the Scotch system must be with the education of advocates under the "regulations as to Intrants." I cannot discover any superiority in the Scotch system over our own. If there are any classes included in the Scotch, and omitted in our own, I am sure that they would readily be adopted by the Council of Legal Education. It may reasonably be asked, whether the Lord Chancellor, or any one else, has ever pointed out such omission to the Council?

Studies mentioned in Report of 1846. — In the Report of 1846 there is a comprehensive description of the studies, which are to be embraced in a general school of law. *"Instruction in Civil law, as bearing particularly on Canon or Ecclesiastical, for which there is a direct demand in our Prerogative and Ecclesiastical Courts. Constitutional and Parliamentary law, not only in relation to our own country but to others; administrative law, in its connection with magisterial and official duty: International law, as it affects our relations to our sister nations; but above all, the great and enduring principles, on which all law, whatever may be its local or temporary modifications, should rest, and which is no more than the highest morality directed by the highest philosophy of action; this is the application and honourable vocation of an University law school or faculty, and which, while it in no

* A. p. xlviii.

way militates against or supersedes the peculiar province of the special professional institution, will give a higher and more scientific tone to the entire study, and, if carried out in a manner worthy of its dignified ends, will go far to replace law in its legitimate position, and from being as it now is, an act depending, like others, on more or less experience, more or less dexterity in practice, will elevate it once more to the noble science, next to religion, the chief instrument for the civilization and happiness of mankind."* These are the terms in which the Committee of 1846 describe the studies through which they required the Inns of Court to lead the students of law.† They are intended to prepare men for Parliamentary duties, for the duties of Magistrates, for the Bar and the Bench, for offices in India and the Colonies—in countries where the laws of Holland, France and Spain, Hindoo or the Mahomedan law are to be administered. The Commission of 1855 adopted the same view.

Conduct of Inns.—The conduct of the four Inns may be not unfairly tested by the inquiry how far they have complied with the requirements of the Committee. A return has been made in every year since the year 1852 of the subjects of the private classes and public lectures, and of the numbers of the students who have attended them in each year. In the return for the year ending

* A. 89, 98, 1286, 1147. † xxxiii. xxxiv.

10th January, 1872, the subjects are as follows: Constitutional and Legal History; Jurisprudence; Civil and International Law; Equity, elementary and advanced; the law of Real Property, &c., elementary and advanced; the Common Law, elementary and advanced; Hindu and Mahomedan Laws. The number of students attending the lectures and classes is as follows:—

	Public Lectures.	Private Classes.
Inner Temple	128	29
Lincoln's Inn	101	30
Middle Temple	98	35
Gray's Inn	8	5
	335	99

The students were actually obliged to attend the public lectures. They could attend, or not attend the private classes at their option. A large proportion of them, as appears from an examination of these numbers, preferred studies in the private chambers of conveyancers, special pleaders, or equity draughtsmen. Thus the Benchers were so far from being backward in meeting the recommendations of the Committee, that they actually provided for private classes far beyond what the students were willing to turn to good account. So utterly groundless is the charge which has been brought against the Inns.

The next document still more strongly supports this remark. It is an Abstract of the accounts of the Council of Legal Education, for one year, from the 11th January, 1871, to the 10th January, 1872.

Dr. **To Sums Received.**

	£	s.	d.	£	s.	d.
CONTRIBUTIONS FROM THE INNS OF COURT FOR THE READERS' STIPENDS, THE STUDENTSHIPS, AND THE EXHIBITIONS.—						
Lincoln's Inn	300	0	0			
Inner Temple	300	0	0			
Middle Temple	300	0	0			
Gray's Inn	300	0	0			
	1200	0	0			
FEES RECEIVED OF STUDENTS.—						
FOR THE PUBLIC LECTURES.						
Inner Temple	672	0	0			
Lincoln's Inn	530	5	0			
Middle Temple	514	10	0			
Gray's Inn	42	0	0			
				2958	15	0
FEES PAID BY STUDENTS.—						
FOR ADMISSION TO THE PRIVATE CLASSES.—						
Middle Temple	183	15	0			
Lincoln's Inn	157	10	0			
Inner Temple	152	5	0			
Gray's Inn	26	5	0			
				519	15	0
Hindu Law Reader				8	8	0
FEES PAID FOR ADMISSION FORMS UNDER CLAUSE 9 OF THE CONSOLIDATED REGULATIONS.—						
Inner Temple	154	7	0			
Middle Temple	144	18	0			
Lincoln's Inn	113	8	0			
Gray's Inn	16	16	0			
				429	9	0
CONTRIBUTIONS FROM THE INNS OF COURT FOR CONTINGENT EXPENSES.—						
Lincoln's Inn	60	0	0			
Inner Temple	60	0	0			
Middle Temple	60	0	0			
Gray's Inn	60	0	0			
				240	0	0
				£4156	7	0
Balance of Cash Account to 11th January, 1871	967	0	0			
Less Balance to 10th January, 1872	214	1	9			
Net Balance of Cash Account to 11th January, 1872	£752	18	9			

By Sums Paid. *Cr.*

	£	s.	d.	£	s.	d.
STIPENDS OF THE READERS.—						
The Five Readers, one year's Stipend, at the rate of £420 each Reader	2100	0	0			
The Reader in Hindu Law, &c.	315	0	0			
J. F. Leith, Esq., for Special Examination in Hindu Law, &c.	52	10	0			
GENERAL EXAMINATIONS, STUDENTSHIPS, AND EXHIBITIONS.—						
6 Studentships of £52. 10*s* each	315	0	0			
6 Exhibitions of £26. 5*s* each	157	10	0			
EXAMINERS APPOINTED BY THE COUNCIL TO CONDUCT THE EXAMINATIONS OF STUDENTS ON THE SUBJECT OF THE LECTURES AND CLASSES.—						
4 Examiners at £10. 10*s* each	42	0	0			
JULY EXHIBITIONS.—						
10 Exhibitions of £31. 10*s* each	315	0	0			
4 Exhibitions of £21. each	84	0	0			
				3381	0	0
FEES DISTRIBUTED TO THE READERS.— FOR PRIVATE CLASSES.—						
Amount of Fees received of Students for admission to the Private Classes, and distributed to the Readers, in accordance with Clause 35 of the Consolidated Regulations				519	15	0
Amount of Fees received of Students for Hindu, Mahommedan Law, &c., Classes				8	8	0
PRELIMINARY EXAMINATIONS UNDER CLAUSES 1, 2, 3, 4, 5, 6, AND 9 OF THE CONSOLIDATED REGULATIONS.—						
15 Examiners, as per rota [42 attendances at the Middle Temple, after the rate of £5. 5*s* for each attendance]	220	10	0			
And for the services of Mr. Purdue, as Secretary to the Board	21	0	0			
				241	10	0
CONTINGENT EXPENSES.—						
Sundry Bills for Printing, to Christmas, 1871	81	11	10			
Amount of Bills for books, stationery, postage-stamps, and petty cash payments	27	8	11			
Salaries to the Clerk of the Council, the Usher of the Hall, and Laundress	110	15	0			
				219	15	9
				£4370	8	9

Audited and found corrrect.

C. S. WHITMORE.
HOLDSWORTH HUNT.

June 18th, 1872.

Similar accounts have been published in each succeeding year since 1853. Sir Roundell Palmer brought forward his charges against the Inns of Court on the 1st of March, 1872; why he omitted to state the contents of documents such as these to the House of Commons, it is hard to understand. Sir Roundell further observed, "would it not be better, that our students should be encouraged and assisted, at least as much as any public institution can encourage and assist them, to lay the foundation of their legal knowledge of principles, and of the study of the law upon a large wide liberal and scientific basis." If he had laid before the House the statements contained in these documents, and in others of the same kind annually published, they would have seen that this encouragement is precisely that which the Inns of Court had been diligently affording since the year 1852.

Examination.—The one ground of complaint against the Inns of Court has been their unwillingness to establish compulsory examination for the degree of Barrister. The proposal was much debated about thirty years ago, and was at that time rejected under the advice of the most highly educated lawyers of the day: It was feared that an examination would deter men, who did not intend to practise, from coming to the Bar. It was thought, that such a consequence would be a great public evil.

To put the examination for the Bar on the same footing as an examination for the profession of an

attorney or of a medical man is quite a mistake. Persons who require the aid of an attorney or a doctor, go directly to them. They may sustain serious injury, if any one is allowed to offer himself to the world in general, as a practitioner in either of those professions, without having proved an adequate amount of proficiency. But persons, who require the aid of a Barrister, do not go directly to him. They consult their attorney, and through the attorney as intermediate agent consult the Barrister. A Barrister obtains no employment* from his mere call to the Bar. Thus the call injures no one. A Barrister must gradually establish his reputation as a competent man; and in doing so undergoes practically a kind of examination, which is in effect compulsory. It is said, that there are numerous offices, in which a call to the Bar is a qualification. But a man cannot be appointed to any one of them, merely because he is a Barrister.† Unless he has shewn practical ability in actual professional work, no Government will venture to appoint him. Very few people would be inclined to say, that Benchers are now to be regarded as unfit to superintend legal education, because they formerly objected to compulsory examination. For instance, is the Lord Chief Baron unfit for the performance of such a duty? He is paraded by the Association as one who approves of their objects.

* A. 3802. B. 18. 39. † B. 40.

Yet in 1852 he gave evidence against compulsory examination.

The Inns of Court, by the course which they have now adopted, have placed the examination for the degree of Barrister upon the same footing as the examination at Oxford and Cambridge for the degree of Bachelor-of-Arts. The object is to ascertain that the student comes up to a certain standard; if he does so, he obtains the degree. In other words it is a compulsory examination for a minimum. And this examination is not competitive. There remains the voluntary competitive examination corresponding to the University examination for honours. This struggle draws out all the best qualities of the student. Different motives induce different men to enter the lists. A man may desire merely to make a fortune; to gain credit for himself, and to reflect credit on his family; to fit himself for services in the high walks of his profession; or he may feel, that it is his duty to cultivate to the utmost those talents with which God has endowed him, and to do in the most exemplary manner his duty in that state of life, in which he is placed. High qualities will be fostered and encouraged and rewarded by the voluntary examination, which the Inns of Court have established. But let it be observed, that the kind of examination, which gives this encouragement, was established by the Inns of Court as long ago as the year 1852.

Indirect aid.—While the Inns of Court have directly promoted study by the establishment of tutors, and lecturers, public and private, they have indirectly given much further assistance. The vulgar idea is, that the Inns of Court have merely enabled students to *eat their terms*, "that," as Mr. Morgan said in the debate, "the Inns of Court *have hitherto done absolutely nothing* to insure the competency of those they admitted to practice at the Bar."* The establishment of compulsory examination has put an end to the idea of merely "eating terms." In truth the Inns of Court have been incessantly exerting themselves in the improvement of the condition of the students. They have provided convenient chambers, and an excellent library, meals at convenient hours, and constant opportunities of intercourse, in which students may meet together and derive no small professional advantage from daily association. I must not omit the jurisdiction of the Bench of each Inn over the Bar, to the extent of disbarring in case of gross misconduct. This jurisdiction is exercised with most scrupulous care and delicacy and forbearance. To members of the Bench it is very painful, but very advantageous to Barristers; as it relieves them from the evils of bad example, and from the presence of any one, who is unworthy of their society.

When the resolutions of the Lord Chancellor

* See Times report.

were brought forward, the actual conduct of the Inns of Court should, for the guidance of unprofessional men, have been distinctly stated to the House of Commons. I read the report of the debate of 1872 with infinite regret. I thought that the charges brought against the four Inns were groundless. Until the 13th December, I ventured to hope, that the different speeches made in the debate had warned the Lord Chancellor that he had been mistaken as to the conduct of the Inns, when he charged them with neglect and unfitness for the discharge of their duties. The meeting of the 12th of December extinguished this hope. His opinion is apparently the same. There remain his charges against the Inns of Court, of one of which he is a member; and I am a member in another. Of course his Lordship believes these charges to be just. I believe them to be thoroughly unjust. My refutation of them is simply a statement of facts. Defence, and not defiance, is the spirit in which I write. I will not add one unkind word. But I will add this comment upon the debate of 1872. Suppose that the members who took part in the division had been told, not that the education of Barristers was a *hand to mouth system*, not that the law student was left *to pick out his way* as well as he could; not, that the Inns had *absolutely done nothing* towards his competency; but that the Benchers had provided for twenty years a very

learned body of professors and tutors directly ordered to teach and guide and assist in every possible way in public and in private every student who chose to apply to them; that the lectures and private tuition had been uniformly given for all that period, and that the Inns had contributed largely to the expense. Suppose the return of studies and students, and the abstract of accounts which I have quoted, had been laid before the House: suppose the House had been informed that, having regard to the peculiar relations between barrister, attorney, and client, the Inns of Court had long declined to enforce an examination for the Bar, but that, in deference to a strong growing opinion, they had at length established it: suppose that the House had been further informed, how zealously the Inns had always encouraged and promoted voluntary study by all the appliances that they could command, and had fostered and rewarded a healthy and active thirst of competition, and endeavoured to draw out the talents of their most spirited students: suppose the resolutions of 1846 and 1855 had been read, and the entire disagreement of the Committee and of the Commission and of all the principal witnesses from the proposed resolution had been made clear: had all these suppositions been realities, the division would have taken place upon a true statement of facts, and with as much information as can be communicated in the course of a debate;

and I feel sure, that under those circumstances the resolutions would have been rejected by a far larger majority.

Principles of the Committee and Commission opposed.—The Lord Chancellor still suggests that he is supported in his present movement by the opinions of the Commission of 1855. He is reported to have said at the recent interview with the members of the Association, "that it would be expedient also to deal with the constitution and government of the Inns of Court, and he proposed to do so *in accordance with the principles put forward in the report of the Royal Commission* which some time ago sat upon this subject." The Royal Commission agreed with the opinion of the Committee of 1846, to the effect that the education of the Bar should be governed by the four Benches. That government is now in reality the sole point in dispute. The Lord Chancellor proposes to substitute the government of a body consisting partly of barristers, partly of attornies. I cannot see that his Lordship is acting "in accordance with the principles of the Commission."

Objections to Benchers Authority. Self Election.—I pass to some other questions relating to the several Benches. An objection has been raised on the ground that they are self-elected.* In

* Mr. Lowe says, "I think the Inns of Court would be more in harmony with the feelings of the Bar generally, if the Benchers were not self-elected." B. 1622.

respect of Queen's Counsel, the admission to the Bench always takes place, unless a certain number of the members of the Bench think proper to oppose it. The Lord Chancellor for the time being is really the person, who elects this class of Benchers, although subject to a veto on the part of the existing Benchers. They are about four-fifths of the entire body. In reality they become Benchers, because they have advanced themselves to the first rank of the profession. The other members are elected by the Benchers. They are very important members. They are selected as men individually of very high character, who in office or in politics or in literature have done credit to their Inn. And they are the more valuable, as their election marks the independence of the Bench. The Lord Chancellor can, upon mere political reasons, refuse to an eminent lawyer the rank of Queen's Counsel. He cannot prevent him from receiving, as a reward for good conduct and for the useful exercise of great abilities, advancement to the rank of Bencher in his Inn.*

Benchers the Proper Authority.—I cannot think that objections such as I have mentioned supply any reason for taking away from the Benchers

* When Lords Brougham and Denman were appointed Counsel to Queen Caroline, they had precedence in that capacity. They applied to Lord Eldon and asked to be made King's Counsel. Lord Eldon refused. The Benchers of Lincoln's Inn admitted them to their Bench.

the superintendence over the education of the Bar. It matters not to what class of witnesses reference is made. Lecturers, eminent practitioners, men at the head of the profession, such as Lords Brougham, Campbell, Westbury; indeed all witnesses examined before the Committee or Commission concur in saying that the Benchers have on all accounts* the best means of conducting their superintendence, that they thoroughly understand the profession, that they know what it requires and that they are versed in the maintenance of its discipline. Above all, that they are quite free from political bias, and that they have always shewn a most honourable independence. The English Bar have a high character for independence. That great quality derives ample encouragement from the character of the body by whom the Bar are governed. Respecting the fitness of Benchers for the discharge of their present duties, Lord Westbury is most positive. "Would you object," he is asked, "to a government commission, composed partly of Judges and partly of Benchers of the Inns of Court, in addition to official members, so as to give it a more authoritative character, and such as would ensure a greater uniformity?" "Yes," he says, "I should object to it, because there are ample and sufficient means for the attainment of that object in exist-

* A. xlviii. 273, 376C, 287, 2819, 293, 3847.

ence; and I think it will unquestionably be attained by those persons, who up to the present time have been most usefully made depositaries of power and authority with regard to the regulation of the Bar, and admission to the Bar." In considering this answer let our readers recollect, that of all the advocates of good legal education, Lord Westbury was far the earliest, the most diligent and persevering; and we may perhaps add, himself the most highly educated. The Committee of 1846 were most distinct in the statement of their opinion. "The Profession in these countries have a recognized organ for professional instruction in the Inns of Court, requiring no innovation but such modifications only as existing society may demand to fit them for places of special legal education."

Union of the four Inns.—The question arises, whether these societies should act independently, of each other, or co-operate, each in its own sphere, for one general end. "The great majority of the witnesses decide in favour of the latter proposition." "The several Inns would thus form the colleges, as it were, of one common university."* To maintain an *esprit de corps* in each Inn is one object. To have one and the same system of instruction is another. For the former object a separate establishment is requi-

* A. xlviiii. 3810.

site: for the latter a certain amount of union. And this is precisely the plan which has been adopted. The Inns retain their separate and independent existence, except in that respect in which a common action is necessary: that is, where studies common to all, and one uniform system of instruction and of examination ought to be arranged. An opinion in favour of this arrangement was expressed by almost all the witnesses before the Committee of 1846.

Should the Benchers be united by a Charter.—A complaint is made, that any one of the four Benches may withdraw their members from the legal council: that on the one hand the system may in this way be at any time dissolved; that on the other, while it continues, the Council cannot act without continual reference to their constituents.

If there is any deficiency in this respect, there will be no difficulty in correcting it. The Crown* may grant an Act of incorporation, by which the powers of the legal council, their permanence and their responsibility may be distinctly defined and established.

Present plans of education.—I have made these remarks upon the nature of the body, who have hitherto superintended the education of the Bar, and upon their conduct since the year 1852.

* A. 115, 1173, 1415, 1548, 3747. B. 576, 1206, 1617, 1618, 2313.

I may now add the arrangements which they have made with a view to the future. A very slight sketch of them will suffice for our present purpose. "No student shall be called to the Bar unless such student shall to the satisfaction of the Council of Legal Education, have passed a public examination for the purpose of ascertaining his fitness to be called to the Bar, and have obtained from the Council a certificate of having passed his examination. The Council of Legal Education shall consist of twenty members, five to be nominated by each Inn of Court. The Council shall appoint four professors and as many tutors as they deem necessary, to give instruction in private classes."

"They shall also appoint six examiners."

The subjects of instruction, shall include, Jurisprudence, International law, Public and Private Roman civil law, Constitutional law, and legal history, Equity, the Law of real and personal property, Common law, Hindu and Mahomedan law, and the laws in force in British India. These being the subjects of study, the Benchers under the consolidated regulations of Michaelmas term, 1872, have greatly increased their contributions toward the necessary expenses. They have shewn the strongest desire to include every branch of law, for which they can obtain pupils; and they have been extremely careful in selecting proper men as professors and tutors. The Inner Temple

have at their own expense appointed five tutors, each for a distinct branch of those studies, which form subjects of the public examinations. The Inner Temple have also private examinations of the pupils.

Scientific education.—I will now allude as briefly as I can to some of the reasons, why the education of the Bar should be under the superintendence of the leaders of their own branch of the profession. The first inference from the reports of 1846 and 1855 is the absolute necessity of making progress in the scientific education of the Bar. Many Barristers have hitherto learned legal principles, as it were only by accident. In considering authorities connected with their practice, they have encountered precedents which are inconsistent with one another. They have thus been driven to the original principles of jurisprudence. All the witnesses of high authority concur in saying, that students should learn principles first, and practice afterwards. In harmony with this advice is the recommendation of the study of civil law, which contains the foundation of all law. Men, who are duly imbued with it, can easily master Spanish, or French, or Dutch, or international law. "There* are a great variety of laws, but many common principles." To English lawyers a knowledge of this civil law is peculiarly necessary, on

* A. 3522 and 3592.

account of the Colonies where they plead, or, what is still more to be considered, hold judicial offices.

The intellectual object in view is to improve the scientific knowledge of the Barrister.—Is it then wise to hamper the lecturers with the presence of a class of pupils, to the great majority of whom routine and common practice are all in all, and science is often unnecessary?* No doubt there will be a certain number of articled clerks, possessed of refined and acute minds, and able to master the most subtle and scientific departments of law. But the system must be made for the mass, not for the individual; and the mass of attornies will aim at the practical work, not at the scientific niceties of law.†

Until the consequences which would necessarily flow from a combined system of education are fairly considered, the retrograde character of such a combination cannot be distinctly seen. The matter is of serious importance.—"The public," said Mr. Amos, "have a strong interest in the lawyer being scientifically educated; but the advantages of a scientific legal education are experienced more later in professional life."‡ Proximate objects are the most attractive to young students: to a great number of them practice in early days is absolutely essential.

* A. p. 279, 3784.; A. 178, 2347; A. 103, 1353; A. p. 18, 218; p. 51, 627; p. 54, 659; p. 62, 744.

† A. 2569, 2173.

‡ A. 1353, 1354.

Some strong counterpoise is required, which may incline the student's mind towards the more distant fruit of scientific exertion. This is a strong reason, why the body which superintends the Barristers' education should consist of men, who can thoroughly appreciate, and illustrate by their own example, the advantages of legal science; and are certain to maintain this peculiar class of study, and to reward very highly those young students, who distinguish themselves by scientific attainments.

Attorneys' System.— The regulations for the admission of attornies are very important elements in this controversy. They have been made under the provisions of 23 and 24 Vict. c. 127. First there is a preliminary examination* in general knowledge before the articles of Clerkship are entered upon. These examinations are held at the Incorporated Law Society's Hall in Chancery Lane, and at thirty of the principal Towns in England.† It is not necessary to detail the exceptional cases, in which those examinations are not required.‡

Clerks are articled for definite periods; and, at the conclusion of one half of their term of articles, or in one of the two terms next before or next after that period, they are required to pass another examination, which is called the intermediate examination. The subject of it includes all elementary

* A. 73, 843. † A. 843.

‡ "The examinations are in the main excellent," per Attorney-General. Hans. 209, 1248.

books of the law of England and mercantile book-keeping by single entry. At the expiration of the terms of the articles, or in the preceding term, there is a third examination, before the Clerk can be admitted as an attorney. The Law-Institution has been established by solicitors at their own cost, not less than £90,000. They regulate their own lectures, and adapt them to the wants of gentlemen studying for their branch of the profession; and the education is different from the education required for a Barrister. Thus there is a most elaborate system already framed for the education of Attornies; and the Incorporated Law-Society are a body most watchful in enforcing as far as possible good conduct among them. The Solicitors also are in exclusive possession of five Inns—Clement's Inn, New Inn, Staple's Inn, Barnard's Inn, and Symon's Inn.

"On the whole," says the report of 1846, "in England at least a separate but cognate institution for solicitors appears desirable."* Two eminent solicitors took part in the debate upon Sir Roundell Palmer's resolutions, Mr. Gregory and Mr. Leeman. Both of them expressed themselves extremely averse to any alteration of system as regarded their branch of the profession. Mr. Leeman said, "that as one, who had for 40 years practised as a solicitor, he should like to ask, what better or

* B. 129, 1562; I. B. 1561, 1580; A. liii.

more competent tribunal for examining articled clerks, desiring to fit themselves for practice as solicitors and attornies, could be found than the Law Institution, as it had been working for the last 25 years? He for one should be very sorry to see those resolutions passed, because he believed that the right place for the education of young solicitors was in the offices of Attornies, instead of an Institution in London."*

Two Complete Systems.—Thus, when the question whether the two branches of the profession should be educated together is approached, it must be remembered, that there is already a perfectly good system of instruction for each branch separately; that for each branch the studies have been arranged, so as to be adapted to their peculiar wants; and that for each there is superintendence by a most capable body, which has matured the system as it is at present, and is only too anxious to adopt any improvement, which experience may suggest. In each branch too the numbers are sufficiently great for a separate establishment of students. For the Bar about 250 are admitted annually; and a much larger number are articled with a view to the practice of attornies.

Age of Students.—The age of the solicitor students is to be carefully considered. Sir George Stephen says,† "They are generally articled at sixteen and

* Hans. 209, 1288. † A. 2012, 1001, 2023.

leave at twenty-one. There are several instances, which I know of, where young men have been in fact introduced to an attorney's office at fourteen. I know of many instances; but as a general rule I should say that sixteen or seventeen is the age." "The necessary period of clerkship is five years." It appears that attornies in the country frequently commence business at twenty-one. "In towns many of them at that age become salaried clerks or even partners." It is clear from Sir G. Stephen's account that, after a man has become a salaried clerk or partner, there is not much time for the study of law as a science, or for attendance on classes. The business of the day requires constant labour during all the hours which are available.† At an earlier period, and, while he is under articles, one hour a day seems to be the utmost that can be allowed for attendance on lectures; and, the time being so short, those which he attends must be arranged exactly in accordance with the instruction which he requires.‡ "I think," Mr. Cookson says, "that the lectures, which we give at our Institution, are well adapted to the gentlemen, who are studying for our branch of the profession." It seems that the expense of education, and the nature of the professional knowledge to be acquired render it impossible to begin the term of a solicitor or the entry into actual business at later periods.

† A. 2023. B. 1581.

‡ B. 1564.

Mr. Hardy,* quoting Mr. Lowe, said, "most of the attornies are under the necessity of earning their bread at an early period of their lives." Mr. Maugham, the secretary and solicitor to the Incorporated Law Society, expressed a doubt whether a solicitor student would effectually go through the subordinate business, if he entered upon it, highly educated at the age of eighteen or nineteen.

The consequences flowing from those circumstances are very plain.† All teaching must be practical teaching, that is, of theory connected with practice. The future solicitor especially has very little time for any teaching which is not directly ancillary to his practice.‡

To the future Barrister an university life is of great advantage. Thus he probably commences his professional studies in his twenty-second or twenty-third year. It is hard to say, how a lecturer or tutor can accommodate his teaching to both classes at the same time; to the boy of sixteen, who has merely the learning of an ordinary school-boy; and also to the bachelor of arts, who has the learning and experience of an University, and also some knowledge of the world. The solicitor student has completed his education before he has reached the age at which the young Barrister's education commences. The two classes can no more be united in a class than the

* A. 2172. A. 780.

† Hansard, 1280. ‡ A. 2012, 2666.

boys of a public school with the young men at Oxford or Cambridge. Indeed, they are still more distinct from one another in age and experience, and habits and associations.

The plan of joint education becomes still more impracticable, when the different grades of society from which the ranks of solicitors are recruited are carefully considered.

In the evidence of Sir George Stephen are the following passages :—" I should say that the attorney was selected from three classes, sometimes tradesmen and shopkeepers have a very extensive business arising from their book debts and doubtful securities, and they consider it would be worth their while to place a son in the profession, in order that he may enjoy a business of that description. Merchants, for a similar reason, but with a higher class of business in view, are very frequently in the habit of placing their sons with solicitors. Another class, I may say, consists of gentlemen of moderate means, of small and independent fortunes, not adequate to sustain the expense of more than one son or two for the Bar or Church. Then there is a third class of attornies, who come from a much lower stock; they are young men, who have probably been introduced in their early boyhood, at the age of ten, twelve, or thirteen, as soon as they could write, into an attorney's office, and employed as copying clerks." Sir George Stephen describes their progress, and

adds, "You may say with respect to a man of that sort that he is suckled and cradled as an attorney. A very considerable number of our profession are raised from that class."*

From all the evidence obtained upon the subject, it follows that the education of each branch of the profession should be arranged so as to meet the peculiar circumstances of each branch. But it by no means follows that all students, who intend to be solicitors, should be excluded from lectures intended peculiarly for young barristers. If the lectures and classes are arranged so as to meet the interests of young barristers and barrister-students, the number of solicitor students, who will wish to attend them will be small; but in common with all other classes of persons who are not members of the Inns of Court, they ought to be admitted upon such terms as the Council of Legal Education may think it proper to establish. Their examination with a view to their admission to practice as attornies ought to be, as it has long been with very great advantage, in the hands of the Law Institution.†

Relation between Barrister and Attorney.—A joint system of education, and a joint body of men to superintend it, are hardly in keeping with the general arrangements of the profession. The division of labour has been almost universally

* A. 1964-5. † A. 778.

approved of. Even in countries in which barristers and attornies are united in one firm, the partners act separately, each transacting the business of his own department. In England it is also important to maintain such relations between the two classes, that the barrister and solicitor may be respectively independent of each other. Circumstances without number may be suggested, in which the benefit of this independence is sensibly felt.

Narrowness of the System.—The Lord Chancellor claimed for the system proposed by him the advantage of being "not narrow" but "comprehensive." "The idea," he adds, "is to have a great school, where the *best possible instruction* upon subjects, on which instruction is best worth having, should be given—a school for all students of the law, no matter what branch of the profession they propose to follow: a school also for all who desire to qualify themselves for public employment, for the work of legislation in Parliament, for the magistracy: a school, in short, for any body who may be willing and able to profit by it." I believe that the Lord Chancellor's plan will not produce the *best possible instruction.* If the evidence taken before the Committee and Commission can be relied upon, the existing arrangement is far superior. The two branches of the profession require different kinds of instruction. The present plan embraces studies as extensive as those

included in the new proposals. The superiority consists in offering to each branch just that instruction, which each branch requires. The two plans are equally comprehensive. The existing plan, as regards solicitors, has long been complete. Compulsory examination as to the Barrister's degree having been introduced, the plan as to Barristers is now equally complete.

The question may be shortly put in this form. What advantage can be obtained from the united system, which the separate system will not supply? I believe—None. On the other hand, what advantage will the separate system supply, which the united system will not supply? I answer that it will accommodate itself to the classification of the profession, which has been adopted, simply because it has been found to be practically the best: and it will insure to the students of each branch the peculiar knowledge and training, which are adapted to its circumstances.

Summary.—I venture to think, that I have completely answered the charges brought by the Lord Chancellor against the Inns of Court. I have also mentioned some of the many reasons, why education for the Bar should be kept quite separate from education for practice as an Attorney. It follows of course, that the separate system of education should be subject to the regulation of separate bodies. I by no means say, that the Inns of Court have framed a system which is perfect. I am sure that they

will readily adopt any real improvement. But I say that the resolutions of the Lord Chancellor would, if adopted, prove a check to scientific education, and lead to evil consequences, the extent of which it is hard to foresee. I would urge every agitator against the Inns of Court to consider the benefit, which their careful superintendence and wise and mild government have conferred upon the Bar, and upon the entire profession, and, abandoning a struggle in which failure is not impossible, to co-operate with them in all their efforts to improve legal education; to press them forward, if they show symptoms of inactivity, and to check them, when they are moving in a wrong direction. I would respectfully ask those, who are themselves members of the Inns of Court, instead of striving to impair the authority of themselves and of the other members of the Bench, to apply their efforts in perfecting the Institution, of which they are members, and to act upon a principle consecrated by experience.

Spartam nactus es: hanc exorna.

FREDERICK CALVERT.

January, 1874,
Upper Grosvenor Street.